

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

**ROGER MANN, et al.,**

**Plaintiffs**

**v.**

**DNC PARKS & RESORTS  
RESERVATIONS, INC., et al.,**

**Defendants**

**CASE NO. 1:13-CV-666 AWI SKO**

**ORDER VACATING HEARING AND  
ORDER ON STIPULATION**

Defendant has filed a motion to dismiss that has been set for hearing on October 28, 2013. The Court has reviewed the papers and has determined that this matter is suitable for decision without oral argument. See Local Rule 230(g).

Also, the parties filed a stipulation for: (1) Plaintiff to add the United States as a defendant, within 15 days of approval of the stipulation, (2) continuing the scheduling conference, and (3) permit the motion to dismiss to go forward. The Court will give effect to the stipulation, but will refer the scheduling conference issue to the Magistrate Judge. Further, because there is a motion to dismiss pending, Plaintiffs will be permitted to add the United States either within 15 days of service of this order or after the Court has ruled on the pending motion to dismiss.

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1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The previously set hearing date of October 28, 2013, is VACATED;
- 3 2. The parties October 24, 2013 stipulation is GRANTED in part and the Plaintiffs may add
- 4 the United States as a defendant either within 15 days of service of this order or after the
- 5 Court has ruled on the pending motion to dismiss; and
- 6 3. The Court refers the scheduling conference matter to the Magistrate Judge.
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8 IT IS SO ORDERED.

9 Dated: October 25, 2013

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11 SENIOR DISTRICT JUDGE

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